

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Bakker et al

**Serial No.:** 10/517,941

**Filed:** December 13, 2004

**For:** AGONISTIC BINDING MOLECULES  
TO THE HUMAN OX40 RECEPTOR

**Confirmation No.:** To be assigned

**Examiner:** To be assigned

**Group Art Unit:** To be assigned

**Attorney Docket No.:** 2578-6723US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 27, 2005  
Date

Signature

Aubry Blackburn  
Name (Type/Print)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to M.P.E.P. 609 III A(2). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2)

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 5,696,100	12-09-1997	Holme et al.
US - 6,265,150	07-24-2001	Terstappen et al.
US - 6,312,700	11-06-2001	Weinberg
US - 2001/0044522	11-22-2001	Godfrey et al.
US - 5,821,332	10-13-1998	Godfrey et al.
US - 6,277,962	08-21-2001	Godfrey et al.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 98/15833	04-16-1998	Universiteit Utrecht
WO 99/42585	08-26-1999	Sisters of Providence in Oregon
WO 95/12673	12-24-2003	Crucell Holland B.V.
WO 03/106498	12-24-2003	Crucell Holland B.V.

Other Documents

PCT International Search Report, PCT/EP2003/106498, dated January 7, 2004.

PCT International Preliminary Examination Report, PCT/EP2003/106498, dated July 21, 2004.

VAUGHAN et al., "Human antibodies by design," Nature Biotechnology, June 1998, pp. 535-539, vol. 16.

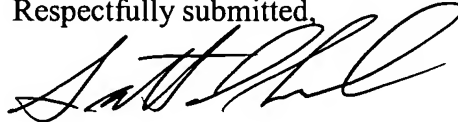
WEINBERG et al., "Engagement of the OX-40 Receptor In Vivo Enhances Antitumor Immunity," Journal of Immunology, 15 February 2000, pp. 2160-2169, vol. 164, no. 4.

WEINBERG, A., "OX40: targeted immunotherapy - implications for tempering autoimmunity and enhancing vaccines," Trends in Immunology, February 2002, pp. 102-109, vol. 23, no. 2.

Serial No.: 10/517,941

This Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits; therefore, no fee is due.

Respectfully submitted,



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Date: June 24, 2005  
GSD/alb

Enclosures: Form PTO/SB/08  
Cited Documents  
Document in ProLaw

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/517,941
Filing Date	December 13, 2004
First Named Inventor	Bakker et al
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2578-6723US

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 98/15833	04-16-1998	Universiteit Utrecht		
		WO 99/42585	08-26-1999	Sisters of Providence in Oregon		
		WO 95/12673	12-24-2003	Crucell Holland B.V.		
		WO 03/106498	12-24-2003	Crucell Holland B.V.		

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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STATEMENT BY APPLICANT**

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Sheet 2 of 2

**Complete if Known**

Application Number	10/517,941
Filing Date	December 13, 2004
First Named Inventor	Bakker et al
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	2578-67231US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PCT International Search Report, PCT/EP2003/106498, dated January 7, 2004.	
		PCT International Search Report, PCT/EP2003/106498, dated January 7, 2004.	
		VAUGHAN et al., "Human antibodies by design," Nature Biotechnology, June 1998, pp. 535-539, vol. 16.	
		WEINBERG et al., "Engagement of the OX-40 Receptor In Vivo Enhances Antitumor Immunity," Journal of Immunology, 15 February 2000, pp. 2160-2169, vol. 164, no. 4.	
		WEINBERG, A., "OX40: targeted immunotherapy - implications for tempering autoimmunity and enhancing vaccines," Trends in Immunology, February 2002, pp. 102-109, vol. 23, no. 2.	

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